

**NEW DRAWINGS**

The attached sheets of drawings include new Figures 15 and 16. Figure 15 illustrates an end planar view of a substrate bearing air bleed slots having magnetic media placed on an upper surface of the substrate. Figure 16 illustrates a block diagram of a process making a magnetic media having a timing based servo track. No new matter has been added with these figures. Support for these figures can be found at least at pages 12 and 13 of the specification.

Attachments: New Sheets

### REMARKS

The present communication responds to the Office Action of August 27, 2004. In that Office Action, the Examiner rejected the claims under 35 U.S.C. § 112, first and second paragraphs and under 35 U.S.C. § 102. Claims 1-30 have been canceled without traverse or disclaimer and new claims 31-72 have been added. The applicant respectfully submits that the new claims 31-72 overcome the Examiner's objections and rejections. Thus, reconsideration is respectfully requested.

#### Objection to the Drawings

The Examiner objected to the drawings as being informal and as not showing magnetic media having a timing based gap pattern. Formal drawings will be provided upon indication that the application is in condition for allowance. New figures 15 and 16 have been added. Figure 15 illustrates a substrate bearing air bleed slots having magnetic media placed on an upper surface of the substrate. Figure 16 illustrates a block diagram of a process making a magnetic media having a timing based servo track. The specification has been amended to add reference to the Figures and the elements in the Figures. No new matter has been added through the new figures or the amendments to the specification. Support for the new figures can be found at least at pages 12 and 13 of the specification

#### Objection under 35 CFR § 1.71(a)-(c)

The Examiner objected to the specification, stating that the subject matter of claims 1-30 is not fully disclosed. Specifically, the Examiner asserted that there is insufficient description pertaining to the magnetic media. The applicant respectfully submits that a description of the magnetic media and a process for making the magnetic media have been provided at least at paragraphs [049] and [052] of the specification. Reconsideration is respectfully requested.

#### Rejection under 35 U.S.C. § 112

Claims 1-30 were rejected under 35 U.S.C. § 112, first paragraph, as directed to subject matter which was not described in the specification in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly

connected, to make and use the invention. Specifically, the Examiner asserted that there is insufficient description pertaining to the magnetic media. The applicant respectfully submits that a description of the magnetic media and a process for making the magnetic media are provided at least at paragraphs [049] and [052] of the specification. Reconsideration is thus respectfully requested.

Claims 1-30 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner indicated that the claims are indefinite and/or ambiguous because the claims are directed to a “magnetic media/tape” but there is no more definition to the media or tape other than the feature that it has a “timing based servo track” associated therewith.

Claims 1-30 have been canceled without traverse or disclaimer. New claims 31-72 have been added. Claims 31-48 are product-by-process claims directed to a magnetic media having a timing based servo track. Claims 49-52 are apparatus claims directed to a magnetic media. Claims 53-72 are method claims directed to a process of making a magnetic media having a timing based servo track. It is respectfully submitted that the new claims are not indefinite and/or ambiguous. Consideration of the new claims is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1-30 were rejected under 35 U.S.C. § 102(a) as being anticipated by applicant’s admitted prior art. Specifically, the Examiner asserted that, to the extent claimed and understood, the structure of the media or tape with the feature of a “timing based servo track” is well documented in applicant’s disclosure in the “Background of the Invention.”

It is respectfully submitted that none of the cited art or record discloses or teaches a timing based servo track formed in a magnetic media as recited in new claims 31-76.

Reconsideration and a favorable response are respectfully requested.

Conclusion

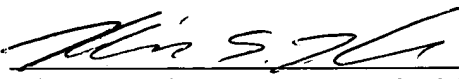
This application now stands in allowable form and reconsideration and allowance are respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at (612) 752-7367.

Respectfully submitted,

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